

STATE • INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>
Office: (317) 232-2701
Facsimile: (317) 232-6758

COMPLAINT OF FBN INDIANA, INC.)
PURSUANT TO 170 I.A.C. 7-7 FOR)
EXPEDITED REVIEW OF A DISPUTE)
WITH VERIZON NORTH COMPANY,)
d/b/a GTE NORTH CONCERNING ITS)
FAILURE TO INTERCONNECT)
WITH FBN UNDER A COMMISSION)
APPROVED INTERCONNECTION)
AGREEMENT)

FILED

MAY 14 2004

INDIANA UTILITY
REGULATORY COMMISSION

CAUSE NO. 41268-INT-88-RD-01

RESPONDENT:)
VERIZON NORTH INC. d/b/a)
GTE NORTH INCORPORATED)

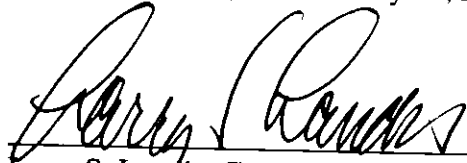
You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

The parties should answer the data requests as set out below on or before May 28, 2004. To the extent that the answer to a question is not within the knowledge or control of a party, the party shall so state.

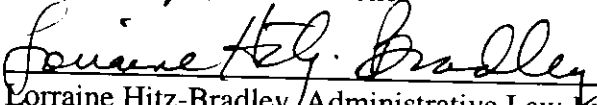
1. Please locate on a map of downtown Valparaiso, Indiana the location of FBN's and Verizon's COs and the location of the manhole that has the 200 twisted copper pairs splice.
2. In all the testimony the reference has been to the splicing of a 200 twisted copper pair cable in a manhole between the COs. However, in Mr. Bahr e-mail dated 1/29/03 he states "existing interconnection...A copper facility resembling a reverse copper collocation exists between VZ and their office. They provided all the copper, enough for VZ to terminate in our office – and we did to our frame – without requiring or charging collocation." This implies that the connection is at Verizon's distribution frame, not in a manhole. Please clarify at what physical point the connection occurred, and identify the documents authorizing such connection.
3. What were the results of the MOU conference call of October 1, 2002?
4. What were the issues in dispute with regard to the MOU of October 1, 2002?
5. Briefly describe any communications between the parties between the dates of October 1, 2002 and July 17, 2003, regarding resolution of this dispute.
6. On page 10 of Mr. Taylor's testimony he addresses the fiber that was installed in September of 2002. Please identify where each end of the fiber is terminated.
7. What is the nature of the dedicated point-to-point traffic identified on page 4, line 14 of Mr. Taylor's testimony? Approximately how many local and point-to-point customers are affected?

8. Does paragraph 40 of the interconnection agreement apply to counts two and three of this dispute and if not, why?
9. What are the T's and C's referenced in Mr. Bahr's 1/29/03 e-mail?
10. What legal document (page, paragraph number and line) does FBN believe requires Verizon to transport traffic generated on their network to FBN at no cost to FBN?
11. Please list the entities connected by the point-to-point special access circuits referenced in line 19 on page 5 of Mr. Taylor's rebuttal.
12. Please address whether or not point-to-point special access is technically feasible as a mid-span fiber meet, and if so, what would be required in order to achieve this connection.
13. Please address the effect on this cause, if any, of the FCC's order in *In the Matter of Verizon Petition for Pricing Flexibility for Special Access and Dedicated Transport Services*, WCB/Pricing No. 04-01, DA 04-1338 (released May 12, 2004).

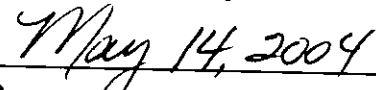
IT IS SO ORDERED.



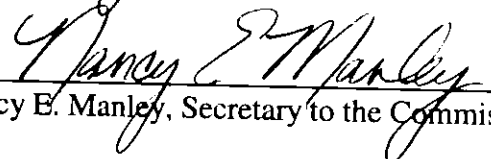
Larry S. Landis, Commissioner



Lorraine Hitz-Bradley, Administrative Law Judge



Date



Nancy E. Manley, Secretary to the Commission